

## HISTORICAL DIVISION[223]

### Adopted and Filed Emergency

Pursuant to the authority of Iowa Code section 303.1A, the Director of the Department of Cultural Affairs hereby amends Chapter 50, "Historic Site Preservation Grant Program," Iowa Administrative Code.

The amendments to Chapter 50 put in place an emergency grant program for disaster relief.

In compliance with Iowa Code section 17A.4(2), the Department finds that notice and public participation are unnecessary as the amendments remove restrictions and confer a benefit to constituents.

The Department also finds, pursuant to Iowa Code section 17A.5(2)"b"(2), that the normal effective date of these amendments should be waived and these amendments should be made effective on July 25, 2008, as they confer a benefit on and remove restrictions from constituents interested in applying for grant funds to provide emergency disaster relief.

The Department adopted these amendments on July 24, 2008.

These amendments are also published herein under Notice of Intended Action as **ARC 7084B** to allow for public comment.

These amendments became effective on July 25, 2008.

These amendments are intended to implement Iowa Code chapter 303.

The following amendments are adopted.

ITEM 1. Adopt the following new "Emergency" in rule **223—50.2(303)**:

"*Emergency*" means a threat to a historical resource that is not the result of delinquency by the current owner and that requires timely action to prevent immediate loss of the resource.

ITEM 2. Adopt the following new rule 223—50.8(303):

### **223—50.8(303) Emergency grants.**

#### **50.8(1) Eligible applicants.**

*a.* Emergency grants may be awarded to any local political subdivision of the state, state agency, Indian tribe, individual or nonprofit organization that is duly authorized and charged with responsibilities for construction, maintenance and operation of historical sites, or to the owner of a historical site as defined in rule 50.2(303).

*b.* Emergency grants may be awarded for projects arising in counties for which a gubernatorial disaster emergency proclamation has been issued for natural disasters arising during the period of April 1, 2008, through June 30, 2008.

**50.8(2) Eligible projects.** Emergency grants may be awarded to projects for emergency stabilization of historical sites. All emergency grant projects shall meet the U.S. Secretary of the Interior's Standards and Guidelines for Archaeology and Historic Preservation.

**50.8(3) Grant amount.** Any application requesting less than \$1,000 in grant funds or more than \$50,000 in grant funds shall not be considered.

**50.8(4) Application deadline.** Applications (one original and four copies) will be received on a continuous basis and will be reviewed monthly.

**50.8(5) Review panel.** A review and selection panel, hereinafter referred to as the review panel, comprised of four members appointed by the administrator, shall review and evaluate emergency project applications and shall develop funding recommendations to be forwarded to the administrator of the historical division for approval.

**50.8(6) Application rating system.** The review panel shall apply a numerical rating system to each grant application that is considered for funding assistance. The criteria shall include all of the following:

*a.* The emergency status of the project as evaluated against the definition of emergency in rule 50.2(303) and eligibility criteria identified in subrule 50.8(1);

- b.* The historical or cultural significance of the project and the degree to which the project is of regional, state, or national significance;
- c.* The quality of the plans to stabilize the historical resource;
- d.* The degree to which the budget is reasonable and appropriate for the project; and
- e.* The degree to which the applicant demonstrates a commitment to the future viability of the resource by planning for the ongoing operation and maintenance of the project following stabilization.

[Filed Emergency 7/25/08, effective 7/25/08]

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EDITOR'S NOTE: For replacement pages for IAC, see IAC Supplement 8/27/08.